

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE UNITED STATES OF AMERICA, ex rel. :
STEVEN CABALLERO AND :
CARMEN SKRINE, :
:

Plaintiffs/Relators, :
:

v. :
:

TESTQUEST, INC., THE CITY OF NEW YORK, :
NEW YORK CITY DEPARTMENT OF :
EDUCATION, MTL CONSULTANTS, :
TIFFANY HOTT, in her individual and official :
capacity, and MICHAEL LOGAN, in his :
individual and official capacity, :
:

Defendants. :
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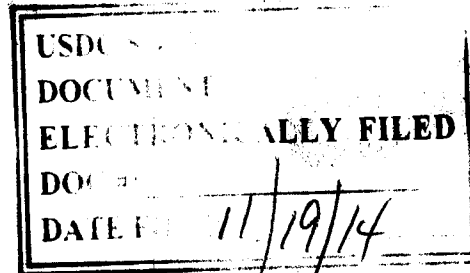
UNITED STATES OF AMERICA, :
:

Plaintiff, :
:

v. :
:

TESTQUEST, INC., MICHAEL LOGAN, :
SANDRA ALLEN, SYLVIA BRATHWAITE, :
and QUENTON GITTENS, :
:

Defendants. :
-----X



12 Civ. 4626 (LLS)

DEFAULT JUDGMENT AGAINST
SYLVIA BRATHWAITE

The United States of America (the "Government" or "United States") having filed its "Complaint-In-Intervention" in this action on January 29, 2013, naming as defendants TestQuest, Inc. ("TestQuest") and one of TestQuest's former employees, Michael Logan; the Government having filed its "Amended Complaint-In-Intervention" (the "Amended Complaint") on August 5, 2013, adding as defendants Sylvia Brathwaite ("Brathwaite") and two other former employees of TestQuest, Sandra Allen and Quenton Gittens; on August 6, 2013, the Government having sent Brathwaite's counsel, Paul Brenner ("Mr. Brenner"), a copy of the Amended Complaint, a notice

requesting that Brathwaite waive service of summons, two copies of a form waiving service of summons (the "waiver of service form"), a self-addressed stamped envelope so that Mr. Brenner had a means to return a signed copy of the waiver of service form to the Government at no cost to Brathwaite, and a statement concerning the duty of parties to waive service of summons; Mr. Brenner having executed the waiver of service form on Brathwaite's behalf on October 15, 2013; the Government having duly filed the executed waiver of service form with the Clerk of this Court on October 15, 2013; Brathwaite having not answered or otherwise responded to the Amended Complaint, and the time for Brathwaite to do so having expired; the Clerk of this Court having duly executed the attached Certificate of Default; and sufficient proof having been adduced that Brathwaite is not in the military of the United States and is not an infant or incompetent person;

NOW on the application of Preet Bharara, United States Attorney for the Southern District of New York, attorney for plaintiff the United States, it is hereby:

ORDERED AND ADJUDGED that, for the reasons set forth in the Amended Complaint and in the declaration and exhibits submitted by the Government in support of its application for entry of a default judgment against Brathwaite, judgment is hereby entered against Brathwaite under the False Claims Act, 31 U.S.C. § 3729 *et seq.*, in the amount of \$37,033.28, with interest thereafter from the date of this judgment as provided by law.

November 18 2014

SO ORDERED:

Louis L. Stanton
HON. LOUIS L. STANTON
United States District Judge